

# Notice of Allowability

Application No.

10/806,987

Examiner

Nam Huynh

Applicant(s)

EISENHOWER ET AL.

Art Unit

2617

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/17/2006.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to amendment filed on 2/17/2006. Of claims 1-20, claims 1, 10, and 11 have been amended.
2. Amendments to paragraphs [0017] and [0045] of the specification were received on 2/17/2006. These amendments are accepted.

### ***Allowable Subject Matter***

3. Claims 1-20 are allowed.
4. The following is an examiner's statement of reasons for allowance:

#### Claims 1 and 13

In the Non-Final Rejection filed on 11/17/2005, claims 1 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. (US 2005/0088361) in view of Metcalf et al. (US 2005/0076982). This rejection has been overcome since the structure of Metcalf et al. does not render the "top locator block" set forth in the claims. The patch disclosed by Metcalf et al. is designed for attachment to a tire and is self-supporting (figures 1-2, item 2 and page 3, paragraph 0040). This "patch" does not render the limitation "...receiving and locating a patch, which can receive(s) wireless signals from said plurality of antennas" set forth in the claims.

#### Claim 11

Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. (US 2005/0088361) and Metcalf et al. (US 2005/0076982) as applied to claims 1 and 13, and further in view of Ohe et al. (US 4,823,141). This rejection has been

overcome for the reasons stated in regards to claims 1 and 13 and further since Metcalf et al. does disclose the following limitation "...a SAW sensor and an RFID tag molded into said patch".

Accordingly, Applicant's claims are allowed for these reasons and for the reasons recited by the Applicant in the Amendment filed on 2/17/2006.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Eisenhower, Jr. (US 6,964,198), which is the same inventor and assignee of the current application, discloses a sensor testing system and method comprising a pressure rail (figure 1, item 118), a plurality of housing components (figure 1, item 124, 126, etc.), and a connector component (figure 1, item 102) on top of each of the housing components for sensor testing. The invention pertains to sensor testing which can be utilized to test the effectiveness of surface acoustic wave (SAW) sensor devices, and does not claim an antenna block structure that maintains a plurality of antennas and its integration with a patch that receives wireless signals from the antennas. Furthermore, the invention does not comprise an antenna nor does it make any reference to the transmission/reception of wireless signals.

Eisenhower, Jr. (US 7,000,461), which is also the same inventor and assignee of the current application, also discloses a sensor testing system and method. The invention pertains to a pressure rail (figure 1, item 122), a plurality of SAW patch depressions (figure 1, item 134), a plurality of antenna blocks (figure 1, items 102, 104, etc.), and a plurality of BNC connectors respectively connected to the antenna block. Although this invention claims an antenna block to receive wireless signals from a SAW patch, the specific structure of the block is not disclosed. For example, the “plurality of grooves” and the “top locator block” (figure 7, items 704, 702), which are components of the antenna block, are not claimed.

Dietrich et al. (US 2002/0152794) discloses a tester for pressure sensors in which a sensor element is moved out of its resting position when a static or dynamic pressure of a specified amount and duration is capable of being exerted, and at the same time, the electrical connections of the selected pressure sensor are connected with an electrical evaluation unit (page 1, paragraph 0006 and claim 1). This invention pertains to a tester for pressure sensors as well as a means for electrically contacting the electrical connections of the sensor. Similarly to Eisenhower Jr. (US 6,964,198), the invention does not comprise an antenna nor does it make any reference to the transmission/reception of wireless signals. Furthermore, the claimed invention of Dietrich et al. does not render or read upon the “antenna block” or “top locator block” of the present application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam Huynh whose telephone number is 571-272-5970. The examiner can normally be reached on 8 a.m.-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NTH  
4/26/06

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER